



CEPPS/NDI QUARTERLY REPORT
October 1-December 31, 2001

UKRAINE: POLITICAL PARTY BUILDING (01803)
CEPPS II Leader Award
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Project dates: August 3, 2001 to April 30, 2002
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I. SUMMARY

The National Democratic Institute for International Affairs (NDI) submits this quarterly report on program activities in Ukraine for the period October 1 to December 31, 2001. During this period, NDI met repeatedly with its political party partners to discuss how democratic parties could be strengthened through coalitions. In the civic sector, NDI sought to improve the skills of its main civic partner, the Committee of Voters of Ukraine (CVU), to prepare it to monitor the pre-election period. In this pre-election period, NDI focused on its political party and civic work, and did not conduct parliamentary activities.

II. BACKGROUND

Ten years after independence, the country has made little progress toward building a democratic system or promoting the active participation of its citizens in public life. With an economy still largely controlled by the state and beset with corruption, Ukraine's transition to a market economy has been difficult and slow. The media continues to be in the hands of a few rich individuals and the government. The recent murders of independent journalist Georgiy Gongadze and television station director Ihor Alexandrov underline the lack of press freedom. The parliament has not functioned as an effective counterforce to the executive or as a representative of popular interests.

Recent elections, including an April 2000 national referendum, in which President Leonid Kuchma sought to strengthen his own hand at the expense of the parliament, were marred by serious government sponsored electoral fraud. In late 2000, a far more serious political crisis developed when the president was accused by his enemies of direct involvement in the murder of a journalist. In summer and early fall 2001 both critics and supporters of President Kuchma

turned their attention from the fallout from this scandal to preparations for the March 2002 parliamentary and local elections.

Since September 1992, NDI has conducted programs in Ukraine aimed at strengthening democratic political parties and helping them more effectively fulfill their roles as vehicles for public participation in government. NDI's work with parties in recent years has emphasized basic skills training, internal management, public communications and regional growth. The Institute has also sought to transfer training capabilities to Ukrainian party leaders. During the last two years, the Institute assisted democratic, reform-oriented parties in building coalitions on the national and regional levels. Since 1994, NDI's parliamentary programs have helped lawmakers and their factions coordinate activities, communicate more regularly with constituents, and work constructively with the media. In the past three years, NDI seminars for parliamentary members dealt with expanding constituent contacts, strengthening ties to parties and promoting cohesion and cooperation within and among factions.

NDI works with a range of parties that support political reforms to help democracy take root in Ukraine. These parties span the political spectrum from the Socialists on the left to the market-oriented Reforms & Order party. Yulia Tymoshenko's party Batkivshchyna, or Fatherland, gained notoriety as the leading critic of Kuchma over the Gongadze scandal. Victor Yushchenko, by comparison, has turned strategy for his bloc over to two Kuchma lieutenants, Petro Poroshenko and Roman Besmertnyi. NDI's long-time party partners within Yushchenko's bloc, Rukh-Kostenko and Rukh-Udoenko grew out of the Ukrainian independence movement and Ukraine's oldest democratic party. A third, the Congress of Ukrainian Nationalists (CUN), is a small democratic party with a strong nationalist orientation. Reforms & Order is better known for supporting free market and political reforms than Ukrainian nationalism. Oleksandr Moroz, leader of the Socialist Party and a former Speaker of Parliament, has indicated support for structural reforms to help the parliament function as an effective counterweight to the presidency.

Within the civic sector, NDI has worked with a broad range of community-based and issue-oriented organizations since 1993, including those representing women, students, the handicapped, and those advocating for human rights and environmental protection. Recent training has focused on fundraising and advocacy campaigns. With funding from the Charles Stewart Mott Foundation, NDI is administering a program that provides small seed grants to Ukrainian civic organizations in support of citizen activism.

NDI conducts two kinds of USAID-funded civic programming in Ukraine: (1) assistance to the Committee of Voters of Ukraine (CVU) and (2) advocacy and fundraising training for other civic groups. The subgrant to CVU, and salary and benefit costs for civic trainer Joanne Pugh, are covered by funds from NDI's direct USAID Cooperative Agreement No. 121-A-00-99-00715-00. NDI received a no-cost extension of this grant until December 31, 2001. Funding under the CEPPS II Leader Award, Grant No. DGC-A-00-01-00004-00, does, however, cover the costs of CVU's long-term elections observation program and associated training, which is described in this report. Training for other groups also is funded by the CEPPS II grant and also is addressed below.

III. PROGRAM ACTIVITIES

A. *Political Party Development*

Objectives

- Strengthen coordination between democratic political parties who entered coalitions.
- Strengthen parties at the national and local levels by improving party leaders' skills in volunteer recruitment and retention, message and platform development and external communication.
- Develop a cadre of Ukrainian political activists to train party members on organizing and voter contact techniques.

Activities

Coalition Building

In this quarter, NDI continued to devote considerable time and resources to facilitating co-ordination among democrats. NDI staff consulted with advisors to Victor Yushchenko, leaders of the two Rukhs, Reforms & Order, Batkivshchyna, and the Socialist Party to establish or solidify relationships with these parties, and to discuss practical ways that NDI could put its resources to work in building coalitions. These consultations culminated in an NDI program in Poland on November 15-19 for three representatives from the Moroz bloc and three representatives from the Tymoshenko bloc to discuss coalition building. Although the training program in Poland was funded by the National Endowment for Democracy (NED), all planning and follow-up in Kyiv was done under this CEPPS II grant.

Party-building

In response to requests for advice on campaign planning from the deputy campaign manager for the Our Ukraine bloc, NDI produced a concept paper outlining how to create a Candidate Resource Guide. The resource guide was designed to provide all candidates and campaigns with practical information, including highlights of the new election law, the key messages of the campaign, talking points, speech modules and other communications tools for candidates to use in the conduct of the campaign. Candidates and their campaign managers would use this guide not only for the upcoming elections, but also as a tool for strengthening the faction.

On October 3, NDI organized a presentation for parliamentary members and their staff on the results of a national public opinion poll conducted for USAID by the International Foundation for Electoral Systems. The presentation underlined how members of parliament and their staff could utilize polling results and recognize the value of consulting the public as a key component of building an outreach and communication strategy.

From November 21-28, visiting NDI trainer Ross Reid had a series of meetings with campaign managers from the blocs of Yushchenko and Tymoshenko. The leader of the Socialist bloc, Oleksandr Moroz, participated in the consultation personally. During these consultations, Reid discussed strategy, targeting, platform and message development and voter outreach.

On November 23-24, NDI organized a two-day session for 37 members of the coalition “For A European Choice” in Dnipropetrovsk. This coalition, comprised of Rukh-Kostenko, Reforms & Order, the Congress of Ukrainian Nationalists, Batkivshchyna, the Socialist Party and other smaller parties, was formed two years ago and is localized to the region of Dnipropetrovsk. The seminar, led by NDI trainers, provided participants with an overview of the key aspects of running an effective campaign at the local level. In workshops and discussions, special emphasis was placed on the topics of strengthening the existing coalition, organization of joint headquarters, developing a strategy and message and direct voter contact.

On December 9, NDI conducted a one-day consultation for 40 single mandate candidates from the Socialist Party. This introductory session provided participants with an overview of strategy, planning, communicating message, and voter contact skills. Many candidates had a chance to assess their resources and prospects for the upcoming election. In subsequent weeks, NDI followed up by holding a series of personal consultations with individual candidates.

On December 12-13, NDI trained 30 party activists from the Socialist Party in Poltava. This two-day seminar was designed for leaders of local headquarters and candidates to the local councils in the upcoming oblast, city, and mayoral elections. As most participants did not have prior training, NDI staff led sessions on how to identify campaign objectives and how to use effectively the three campaign resources of time, money and people. NDI trainers further outlined the responsibilities of a campaign manager, including organizing a campaign headquarters, creating a campaign calendar, enlisting volunteers, and compiling voter lists and a database.

On December 15, NDI consulted with Member of Parliament Ivan Missoura and three representatives of the Young Socialist Organization of Ukraine on strategy for organizing a nationwide tour of members of parliament and the party’s leader. NDI trainer Tom Cormier discussed the Canadian experience of planning visits for members of parliament in regional constituencies. Cormier outlined the role of the party/bloc in coordinating these visits, including reaching agreement on the message to be delivered, ensuring adequate preparation for the members of parliament and local activists, and organizing effective events for the visits.

On December 15-16, the Institute held a two-day seminar on election organizing for 48 regional party representatives from Our Ukraine in Zaporizhia. NDI trainers discussed how to develop and then achieve campaign objectives, and how to set up campaign headquarters, and outline the structure and responsibilities of the campaign team. In workshops held on the following day, participants had the opportunity to apply their knowledge on campaign organizing by developing a campaign calendar and plan.

On December 21-23, NDI trained 40 representatives of the Yushchenko bloc in Zakarpattia. During this two-day seminar, NDI trainers provided regional and local campaign managers in key constituencies with an introduction to the components of campaign strategy. In addition, NDI held several individual consultations with party activists. Training concentrated on the topics of targeting, planning, getting out the vote, database development, and adapting a national message to the regional level.

B. Parliamentary Development

NDI did not conduct any parliamentary activities during this quarter.

C. Civic Development

Objective

- Improve the skills of civic groups advocating for greater government accountability.

Activities

With CVU

NDI's priority continued to be the Committee of Voters of Ukraine (CVU). A no-cost extension of NDI's 2000 direct cooperative agreement with USAID supports CVU's infrastructure and its non-elections programs. NDI used funds from this CEPPS II grant, however, to train and cover the expenses of CVU's long-term election observers. This included two large seminars in December and the costs of fielding 25 monitors in October, 26 in November and 26 in December. (Monitors deployed from October-December received training in September; the December sessions were for additional monitors who will begin in January 2002). This grant also funded a seminar on accounting requirements for CVU regional leaders and partial costs of a visit to the United States by CVU Executive Director Ihor Popov.

CVU's long-term monitors assessed the pre-election situation in every oblast. They met with leaders of political parties and blocs, candidates, journalists and NGO leaders. They monitored the formation of election commissions, attended campaign events and party congresses and monitored local press. Following instructions issued by the central office, they noted instances of pressure on the media or interference with campaigning; misuse of government position or resources in campaigns; attempts to buy votes; distribution of libelous, anonymous campaign materials and other problems. Every report of a problem was verified by a CVU oblast director who called the person claiming first-hand knowledge of the issue. CVU oblast directors sent verified information to CVU Kyiv, where the central office compiled them into reports.

CVU released their reports at press conferences on November 5 and December 7. It released the December report in early January 2002. CVU's first press conference in November received considerable media coverage. It also sparked questioning of CVU leaders by the Ukrainian security service. Very little appeared in Ukrainian internal media about CVU's

second report. NDI has also circulated English versions of CVU's reports to hundreds of Members of Congress, U.S. Government officials and nongovernmental organizations in the United States. These three reports are attached.

In November, NDI organized meetings for CVU Executive Director Ihor Popov with civic groups, organizational development experts, officials at USAID and the State Department, and Congressional staff members in Washington, D.C. To get ideas for CVU program improvements, he met with groups working on projects similar to CVU's including the League of Women Voters, People for the American Way and the Center for Responsive Politics. For tips on CVU's local government programs, Ihor met with community outreach officials in the Washington, D.C. city government and NGOs with which they interact. Brief meetings with organizational development consultants were intended to give Popov a chance to discuss informally some of the issues he faces as Chairman of the Board of a large organization. Meetings with USAID, the State Department and representatives of the Ukrainian Congressional Caucus covered the pre-election environment in Ukraine.

In December, CVU conducted two trainings for the long-term monitors to be deployed in January, February and March. They included a detailed description of monitors' duties and several "role plays" on talking to election commissioners, party leaders and others. CVU trainers explained the new election law and summarized CVU's cooperation with other civic groups and coalitions working for fair elections.

Also in December, NDI organized a seminar for CVU regional leaders on tax and accounting issues. One goal of the seminar was to better enable CVU branches to handle inquiries from tax authorities during the election period when CVU expects to be under particular scrutiny. Some CVU regional staff will also incur major new bookkeeping requirements in 2002, if they take advantage of a new provision in the tax law and become independent contractors, rather than employees of CVU. Finally, speakers covered the tax consequences for NGOs of various types of fundraising. The two primary speakers were Alex Vinnikov, a lawyer at the Counterpart Alliance for Partnership who specializes in NGO issues, and Julia Kirsanova, an auditor and expert on NGO bookkeeping.

With Groups Other than CVU

In this quarter, NDI completed the preparatory work for a new intensive partnership with a civic group focusing on a future advocacy campaign. Based upon more than five years' experience in offering technical assistance to civic groups, NDI decided in 2001, that it would be more effective to focus on intensive training for one organization, rather than to continue large seminars. NDI determined that many Ukrainian civic groups are eager to influence government policy, but few understand how to formulate and implement a plan to do so, particularly at the national level. The Institute decided to set up a year-long intensive mentoring relationship between one civic group involved in advocacy and an experienced and successful Ukrainian trainer and civic group leader. NDI's civic trainer would supervise the arrangement and NDI would pay the costs of the advocacy campaign.

This fall, NDI sent an announcement of the new program to all the civic groups in its database and other Western and Ukrainian organizations involved in civil society development. It invited letters of inquiry from NGOs seeking to influence government policy and interested in improving their advocacy skills. NDI received 62 letters, and asked 17 of the groups to submit longer proposals, explaining both their projects and the groups' capability. NDI staff then visited nine of these organizations.

In late November, NDI asked civil society experts from the U.S. Embassy, Counterpart, the Renaissance Foundation, Winrock, the Ukraine Market Reform Education Project, ABA CEELI, and the Eurasia Foundation to read and advise NDI on the 17 proposals. The group recommended three finalists. They are: a woman's business group in Khmelnytsky seeking to institutionalize a greater role for non-profits in local governance; a Luhansk women's organization involved in a multi-faceted campaign to protect whistleblowers who speak out against corruption at their workplaces; and an Afghan War veterans' group in Kharkiv. NDI plans to visit each again in late January before making a final decision.

D. Outreach

NDI continues to publish an informational bi-monthly newsletter providing program news as well as articles concerning civic and democratic development issues. It reaches a network of more than 3,700 activists in all regions of Ukraine representing more than 20 political parties and hundreds of NGOs. For many readers, this is their primary source of information regarding issues related to the transition to democracy. In the December edition of the newsletter, NDI conducted a survey of its readers to determine the role each would play in the upcoming electoral campaign. Initial results indicate that virtually all will participate in the election as campaign workers and more than 60% indicated that they would be candidates for various levels of elected office. This information will help NDI provide useful resource materials to its readers in the next issue, due in early February.

IV. RESULTS AND ACCOMPLISHMENTS

A. Political Party Development

This evaluation, following indicators outlined in the workplan for this three-month period, is based on recent interviews and surveys with NDI program participants and on observations by NDI program staff.

Objective: Political parties on the national and local levels are strengthened.

Benchmark: Number of volunteers recruited in 2001 has increased from 2000.

The Socialist Party has continued to use recruitment techniques suggested by NDI, enabling it to increase its membership from 45,000 to 68,000 in this quarter. Yulia Tymoshenko's Batkivshchyna party reported to NDI that its central office had opened a hot line for its supporters, with 10-20 new volunteers daily to staff it. Leaders of several parties told NDI

they had made use of a section of NDI's newsletter, which contained a volunteer pledge form that readers were asked to complete and deliver to the party or civic organization of their choice.

Benchmark: Political parties have more accurately and specifically defined their target audience.

In this quarter, electoral blocs headed by Yushchenko, Moroz and Tymoshenko all produced lists of the single mandate districts in which they feel they have the greatest chance of success. In discussions with NDI they indicated that they had analyzed demographics and past voting patterns and used polling and focus groups to target certain districts. Party leaders within each bloc worked together to identify candidates for the bloc with the best chances in each targeted single mandate district.

Benchmark: Political parties have developed and refined procedures for reaching their target audience.

To increase the party's outreach to voters throughout Ukraine, the Socialist Party has planned and started tours by Moroz and other members of parliament. The party activists involved in organizing these visits reported incorporating planning methods and advice discussed at the Institute's December 15 consultation. After conducting a series of polls and focus groups, Batkivshchyna reported that the party was able to expand its outreach to voters from Central Ukraine to the western part of the country, an area where the party generally has been weak. The party used the research to develop new messages to appeal to the more nationalist electorate in the rural areas of Lviv, Ivano-Frankivsk and Ternopil oblasts.

Objective: Coalitions are strengthened.

Benchmark: Political parties have refined procedures of their coordination and cooperation as part of an electoral or party-building strategy.

Benchmark: Local coalition members have engaged in joint projects to strengthen their bloc.

Benchmark: Political parties have effectively worked together on the local level in the process of candidate selection and party list construction.

This quarter saw consolidation of parties within electoral blocs. In July, Yushchenko announced the formation of his bloc, Our Ukraine, which united parties of the center-right, including the two Rukhs, Reforms & Order, and the Congress of Ukrainian Nationalists.

Limited progress was made on coordination between blocs, although Our Ukraine, Batkivshchyna and the Socialist Party have agreed to cooperate on selection of both parliamentary and local candidates in Dnipropetrovsk.

Within Our Ukraine, leaders of Rukh-Udovenko and Rukh-Kostenko announced their intention to cooperate more closely on the local level. Leaders of parties within Our Ukraine declared their intention to create a single list and coordinate on selection of candidates in single-mandate districts. Throughout November and December, party leaders and Yushchenko were

working to reach an agreement on apportioning seats on a single list and nominating agreed-upon candidates in single-mandate constituencies.

B. Parliamentary Development

Objective: Faction-party relations strengthened.

Benchmark: Parties have established or refined methods of communicating faction successes to voters and voters' views to factions.

NDI met with leaders of the Socialist Party in November to help them plan use of faction members in campaigning. Party leaders agreed that their members of parliament should meet voters and report on what they had accomplished in parliament. At the conclusion of the meeting, Socialist Party leaders redesigned the schedule for travelling members and instructions to local parties setting up the visits, to incorporate NDI suggestions. These included recommendations on targeting messages to audiences more precisely and strategies for reaching the greatest number of voters in each visit. They also included a strong suggestion that the members of parliament use their presence to give maximum publicity to the Socialists' local candidates.

C. Civic Organizing Development

Objective: Improve the skills of civic groups that are advocating for government accountability.

Benchmark: These groups have developed relationships with government officials.

In the course of soliciting applications for its new intensive advocacy partnership, described above, NDI questioned a number of civic groups about their understanding of advocacy and current interaction with local and national government. Many had developed relationships with individual deputies or relevant commission heads in the Verkhovna Rada. Some had even won victories at the local level through letter writing or meeting with local government officials.

These visits underscored, however, the need to go beyond relationship building with single officials. Most of the groups NDI interviewed had little idea of how to plan and then marshal resources to get a policy change not only raised, but also approved by the Verkhovna Rada. Most did not think in terms of setting and achieving a goal by strategically using public education, judicial action and legislative advocacy, although they were doing all those things. The few that had greater experience in the Verkhovna Rada were Kyiv-based without a grassroots following.

NDI hopes to address these issues over the course of the next year. In its new advocacy partnership, NDI will demonstrate how to systematically plan and execute an advocacy campaign on an issue with relevance to a significant portion of Ukrainian society. With intensive training focused on one large group, NDI hopes to have greater impact than it can have through brief consultations and trainings for many organizations.

V. PERSONNEL

For the period of this report, Tom Cormier served as NDI/Kyiv office director and parliamentary trainer. Alex Grigorievs continued as political consultant. Beginning in December, Jennie Kugel joined NDI/Kyiv as the new political party trainer. Program assistant Valentyna Rostopira supported the political party program. Tetiana Soboleva provided political analysis and served as program assistant for parliamentary programs. Joanne Pugh served as civic trainer, assisted by civic program officer Olena Botsko and civic program assistants Natasha Toropova and Vlad Galushko.

VI. FUTURE ACTIVITIES

NDI has received approval for a no-cost extension until April 30, 2002 for the political party development program in Ukraine, which is funded under the CEPPS II Leader Award, Grant Agreement No. DGC-A-00-01-00004-00. In the next three months, NDI will apply the remaining funds to two election-related activities of the Committee of Voters of Ukraine (CVU)—(1) training long-term monitors and (2) publishing CVU's newspaper *Tochka Zoru* (*Point of View*).

CVU will place 50 long-term monitors in the field in January 2002, 100 in February, and 225 in March. In the first three months of 2002, CVU's long-term monitors will continue to collect and report information on parties', candidates' and government officials' preparations for the elections and their conformity to Ukraine's election laws and to international standards. CVU will summarize and publicize these reports at bi-monthly press conferences, through CVU's newspaper *Point of View*, and on the Internet. In the pre-election months, CVU will use its newspaper *Point of View* to publicize the findings of its long-term observers. From January through March 2002, CVU will publish seven issues.

COMMITTEE OF VOTERS OF UKRAINE

LONG-TERM OBSERVATION REPORT ON 2002 PARLIAMENTARY ELECTIONS OCTOBER 2001

Summary

In October 2001 the Committee of Voters of Ukraine (CVU) began its long-term observation of the 2002 parliamentary elections. CVU, a non-partisan domestic election monitoring organization established in 1994, is one of Ukraine's largest civic groups, with more than 18,000 activists and 140 branches. CVU has expanded its mission to include systematic monitoring of the pre-election period, in response to allegations that Ukraine's last national elections, in 1999, were effectively stolen in the pre-election period. CVU plans to monitor and report monthly or bi-weekly until the March 31, 2002 elections.

The long-term monitoring project is carried out in cooperation with the coalition of non-governmental organizations, *Your Voice*. Twenty-five CVU long-term observers, one in each oblast, visited 217 settlements, 353 local branches of political parties and attended 195 different activities (rallies, meetings, party conferences and so on) in October.

The main problems CVU observed in October are as follows: administrative pressure on opposition and independent mass media; interference of public authorities in the pre-election process; use of official position to support candidates, parties and blocs; coercion to join or leave political parties; coercion to contribute money to campaigns; misuse of government-supported media; lack of transparency in financing of political party and bloc advertising; provision of goods and services free of charge or at reduced prices and dissemination of anonymous and slanderous information about political opponents.

CVU notes that political forces are taking full advantage of the fact that the law governing the conduct of the campaign does not come into force until January 1, 2002. That is the official beginning of the election campaign period, according to the election law. This denies CVU or anyone the right to characterize any activities that took place during the last month as "violations" of the law. However, CVU's observation reveals dangerous tendencies in the behavior of state authorities, parties and candidates that amount to violations of the fundamental rights and freedoms of citizens – preventing them from freely choosing their party affiliation, interfering with freedom of belief, etc. Public authorities, local government and law enforcement bodies should take action to prevent violations of the election-related rights of citizens before the election campaign officially begins.

DETAIL ON VIOLATIONS:

State pressure on opposition parties and media includes: refusal by city authorities to allow opposition candidates to meet with voters; pressure on students by rectors to leave opposition parties; closure by city government of opposition television stations and harassment of journalists.

Interference of authorities into electoral process, misuse of official position includes: declarations of support for certain parties by an oblast governor and presidentially appointed heads of regional administrations. For example, the Chernivtsi regional governor said that he would "not consider going or not into the elections without presidential permission." In many oblasts, CVU observed potential candidates negotiating with representatives of the presidential administration and regional

authorities. Very often heads of the regional state administration, or their deputies, attend meetings of the “For a Single Ukraine” bloc, and sometimes the bloc headquarters are situated on regional government property.

Coercion to join or leave parties includes: complaints by factory workers that the “Regions of Ukraine” party forced them to join; complaints by city government employees of pressure to join the National Democratic Party and Sobor party. CVU also heard of district authorities in Chernivtsi threatening to fire school directors if they did not declare in writing their intent to leave the Social Democratic Party of Ukraine (United) (SDPU)(o) and pressure on university students to vote for the “parties of power,” in Kharkiv.

Coerced collection of money for campaigns is very hard to verify, but unverified reports have come to CVU from many regions. One such complaint alleges that the L’viv regional administration, headed by S. Medvechuk, brother of (SDPU)(o) leader V. Medvechuk, forced L’viv businessmen to support SDPU(o).

Lack of transparency in financing of campaigns includes primarily financing of large public concerts and campaign advertising on television. Sources of funds are not known.

Misuse of Mass Media includes systematic use of media that is financed by oblast councils to advertise parties and politicians supported by local executive powers. CVU also notes that commercial mass media outlets are dramatically raising the price of advertising, in anticipation of provisions in the election law that come into force on January 1. That law provides that the costs of political advertising should not exceed the costs of commercial advertising.

Provision of goods free or at reduced prices includes numerous instances of distribution of gifts and charity by political parties, particularly by the pro-presidential bloc “Women for the Future,” the Democratic Union and Communist Party.

Legal Framework for Elections

CVU notes two important developments in the legal framework governing the electoral process, adoption of the parliamentary election law and the President’s issuance of a decree on fair elections. The election law still needs to be conformed to the local elections law in many important respects. CVU also notes that President Kuchma has asked parliament for further amendments to the election law which the parliament will likely reject. This will provide President Kuchma with new arguments to discredit the legislative body.

President Kuchma has also promulgated a decree, “On the realization of the rights of the citizens, principles of democratic society, openness and transparency in the process of preparation and conduct of Elections 2002.” CVU welcomes the President’s acknowledgement, through this decree, of the role of public organizations in ensuring that elections are fair. By issuing this decree, however, the President takes upon himself responsibility for the fairness and transparency of elections.

COMMITTEE OF VOTERS OF UKRAINE
SUMMARY OF LONG-TERM OBSERVATION REPORT
ON 2002 PARLIAMENTARY ELECTIONS

NOVEMBER 2001

SUMMARY

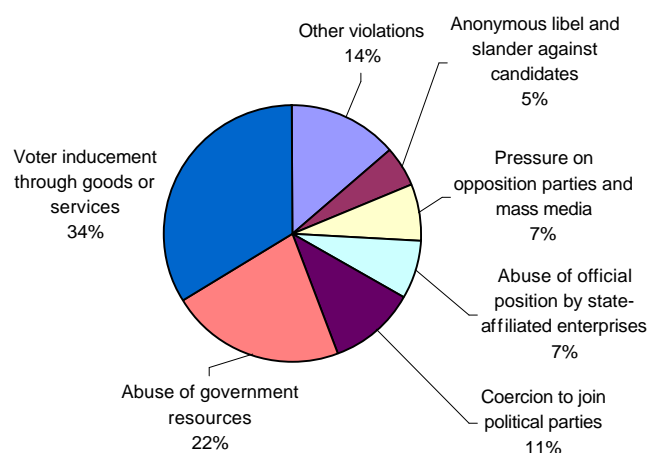
In October 2001 the Committee of Voters of Ukraine (CVU) began its long-term observation of the 2002 parliamentary elections. CVU is a non-partisan citizens' election monitoring organization with 140 branches throughout Ukraine. CVU will report regularly until the March 31, 2002 elections.

In November 26 long-term monitors visited 330 cities and 577 political party branches, and attended 269 events conducted by political groups. CVU found more violations than in October, but the same type of violations from the same sources. Because the election campaign hasn't yet officially started the word "violation" refers to a violation not of the election law, but of basic political rights and freedoms of people.

The main violations recorded by CVU in November were:

- Free goods and services given to sway voters;
- Campaigning by government officials or use of government resources to support particular political groups;
- Government pressure on the opposition and on independent media;
- Coercion to join political parties;
- Pressure to contribute to election campaigns; and
- Distribution of anonymous libel and slanderous information about political opponents.

DIAGRAM 1. TYPES OF VIOLATIONS



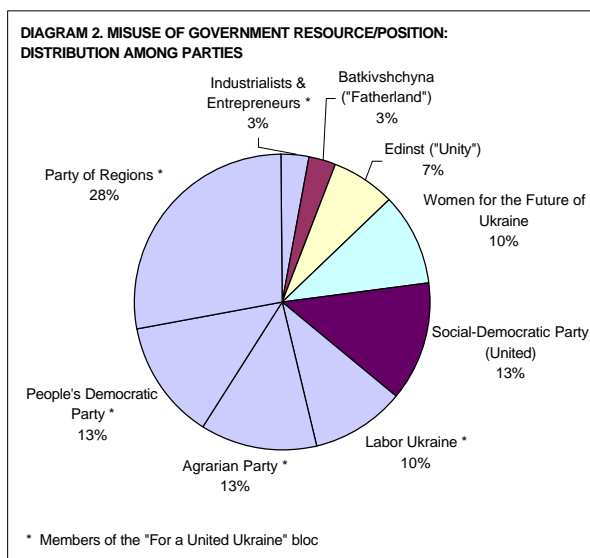
DETAIL ON COMMON VIOLATIONS

Free Goods and Services Given to Sway Voters

This was the largest category of violations, comprising 34% of the total. Most political parties participated in these violations although the leaders were and "Women for the Future of Ukraine," and "Yabluko," a party representing big business interests, linked to SPBU(United). Representatives of parties and single mandate candidates distributed everything from food packages for pensioners to free movie tickets for children.

Government Support for Particular Political Groups

Approximately 30% of violations noted by CVU were in this category. In many oblasts, (similar to a U.S. state) government officials assisted with political party conferences and expressed support for particular parties or candidates. In addition parties and oblast governments jointly organized festive campaign events, and parties used space in government buildings. Two thirds of the violations in this category benefited the five parties in the election bloc "For a United Ukraine," which is generally considered pro-presidential. Other violators include "Women for the Future of Ukraine" is a civic group whom some have linked to a charitable organization chaired by President Kuchma's wife Liudmilla. The Social Democratic Party United (SPDU(United)) is dominated by oligarchs and has clashed with President Kuchma. Yulia Tymoshenko, a charismatic former Deputy Prime Minister, and bitter critic of Kuchma leads the "Fatherland" party. "Unity," led by the mayor of Kyiv, has the backing of many city mayors.



Coercion to Join Political Parties

The Party of the Regions, a member of "For a United Ukraine" bloc conducted massive recruitment of personnel in state enterprises and establishments in Donetsk and Luhansk oblasts. Generally, local party branches are trying to show huge increases in membership to raise their standing with the national parties.

Government Pressure on the Opposition and on the Independent Media

CVU observed wide regional differences, with both oppositional and pro-presidential parties subject to pressure in different places. However, victims of pressure were most often the Social-Democratic Party (United), Socialist Party of Ukraine and "Batkivshyna" (Fatherland).

Source of pressure, as a rule, were local governments. For example, in Ternopil oblast, Lanivskiy rayon (county), government administrative bodies created barriers to registration of local party branches. In Kirovograd a journalist was beaten up, while in Kherson journalists received anonymous death threats and were stopped by traffic police when they tried to circulate their newspaper. They believe these incidents were politically motivated. The International Renaissance Foundation wasn't able to provide grants for TV debates between political parties, because all television channels submitting applications refused to invite the Socialist Party of Ukraine and Tymoshenko's Fatherland party to debates.

Miscellaneous Violations

- CVU also observed significant personnel changes in the leadership of local government. This is evidence of both the central authority strengthening its control before elections, by installing its people, and of local officials who plan to run for office designating their own trusted successors.
- Oblast administrations have asked the Central Election Commission to re-draw the boundaries of election districts. This would both split the bases of support for opposition forces and concentrate whole districts within single rayons, so as to use the government resources of that rayon more conveniently.

CONCLUSIONS

1. In October President Kuchma issued a decree calling for a fair elections process. This process was often violated in November, particularly in regard to the neutrality of executive bodies toward political parties. The only visible steps towards realization of the decree were the establishment of "coordination councils" in oblast state administrations. Ironically, high-level officials often used these to voice support for political parties.
2. Political parties, blocs, and some executive agencies of government have already been given "quotas," i.e., election results "guaranteed" to them. With the approval of government authorities, parties are, therefore, forming all candidate lists and even dividing committee chairmanships in the new parliament. Plans are being made to allocate these positions unfairly.
3. The majority of political parties are not organizationally ready for the election campaign. CVU observed a lack of personnel in elections headquarters, delayed decision making, and irresponsible use of money.
4. Many candidates are seeking office mainly in order to protect property they obtained illegally during the privatization process. (When the Soviet Union dissolved, and property passed into private hands, corrupt legislators were – and are – able to structure privatization of state assets to their own advantage.)

RECOMMENDATIONS

- Government authorities should genuinely implement the presidential decree on fair elections.
- Parties and candidates should submit complaints of violations to the prosecutors' offices.

- The National Council on TV and Radio and State Committee of Informational Policy, Television and Radio Broadcasting and corresponding local bodies should review circumstances of issuing licenses to mass media that violate fair campaign principles.
- Foreign states and international organizations should be aware of the behavior of political groups, politicians and enterprises and should limit their contacts with those that violate principles of fair elections.
- Voters should refuse to vote for candidates who do not campaign fairly.

COMMITTEE OF VOTERS OF UKRAINE
SUMMARY OF FINDINGS OF LONG-TERM OBSERVERS
ON 2002 PARLIAMENTARY ELECTIONS

DECEMBER 2001

Summary

The Committee of Voters of Ukraine (CVU) is a six year-old nonpartisan citizens' election monitoring organization with 140 branches throughout Ukraine. In October 2001, it began monitoring and reporting on the campaign period for Ukraine's March 2002 parliamentary elections. CVU will report regularly until the March 31, 2002 elections.

In December, in an attempt to assess the conduct of the campaign, 26 CVU long-term monitors visited hundreds of party and campaign events, and met government officials, journalists and NGO leaders in 350 cities and towns. By law, the official campaign period did not start until December 31, 2001, so the term "violations" is used here to refer to violations of fundamental political freedoms and human rights, such as pressure to join political parties or donate money to political campaigns.

Each time a problem was reported to an observer, the head of the regional CVU organization called the individual making the report to verify it and obtain details. In many cases, people are reluctant to talk about violations, fearing retribution from their employers or others.

In December CVU observed:

- interference with and harassment of the mass media;
- interference with campaigns;
- misuse of government resources in support of campaigns;
- coercion to join parties.

The overall level of violations was slightly higher than in November. December also saw a dramatic increase in pressure on mass media and interference with campaigning, which nearly doubled as a percentage of violations.

Relative to previous months, government officials and individual candidates were responsible for a greater number of problems, compared to political parties and blocs. Government officials and leaders of state-affiliated enterprises committed nearly half of the reported violations, up from a third in November.

VIOLATIONS

1. Interference with and Harassment of the Mass Media

This category includes threats or violence against journalists and refusal by local postal authorities to process subscriptions for certain newspapers, sometimes even after payment had been made.

Examples:

- In the **Volyn** region the Ukrainian postal service refused, without explanation, to process subscriptions for two newspapers, the “Voice of Batkivshchina” and “Evening News.” The “Evening News” is affiliated with the Batkivshchina (Fatherland) bloc, led by Yulia Tymoshenko, a former deputy prime minister and outspoken critic of President Kuchma.
- In the **Poltava** region, unknown persons beat up journalist Viktor Shestakov on his way home.

2. Interference with and Harassment of Blocs, Parties and Candidates

This category includes refusal to register parties and prohibition by local government authorities of candidates’ attempts to advertise or meet voters.

- Government authorities in the city of Dniprodzerzhinsk, **Dnipropetrovsk region** conducted several meetings with the representatives of local party organizations, at which they created a joint plan on how to block “the destructive actions of the Batkivshchina party local organization.”
- The head of the Krasyliv district state administration in the **Khmelnitsky region** tried to prevent Member of Parliament Pavlovsky from meeting with his voters at a local factory. Mr. Baliuk, deputy head of the Krasyliv district administration, prohibited any meetings with members of parliament without the administration's approval. Those who did not agree with this decision were led to believe they could be fired. Principals at two public schools said of meetings with Pavlovsky, “There will be no meetings with teachers without the approval of the district administration.”

The number of violations in this area, particularly actions by the central government administration directed against the Batkivshchina party and the mass media sources connected to it, has risen dramatically. Although, in general, different parties and blocs may be subject to pressure in different places, depending on the local authorities, harassment of Batkivshchina is nationwide. There are no reported incidents of government pressure against the “For a United Ukraine” bloc or its constituent parties. “For a United Ukraine” is a pro-presidential bloc headed by the President’s chief of staff.

The leadership of national and local government, heads of institutions, factories, plants and organizations, conducted the majority of the reported violations. Some were also anonymous.

3. Misuse of Government Resources in Support of Blocs, Parties or Candidates

Most of these violations involved government officials openly supporting candidates and using government funds and their positions to the benefit of parties, blocs and candidates.

Examples:

- According to information from S. Odarych from the “Yabluko” party, the **Kherson** regional administration distributed a document containing the following directive: “Local authorities should not allow for the consolidation of forces of the Socialist Party of Ukraine (SPU) and Yulia Tymoshenko (Batkivshchina) bloc; should explain to pensioners the populism of the Communist Party of Ukraine (CPU) slogans; and should control the actions of the Party of Progressive Socialists (headed by Natalia Vitrenko).” Also, the heads of the district administrations and executive committees should support the actions of all parties that constitute the “For United Ukraine” bloc. Deputy Head of the Kherson Regional Administration V.O. Lebid signed the document, described as an analysis of the political situation in the region.
- Government workers in the **Vinnitsia** region created a web site for “For a United Ukraine’s” regional headquarters free of charge at the regional public library’s computer center. Vinnytsia state TV and Agency “VITA” created commercials for the bloc at state expense. Deputy regional administration heads Tatusyak and Gavryluik, who are leaders of parties within the bloc, campaigned on behalf of the bloc at their staff meetings.
- The Administration of the Chemerovetskyi District in **Khmelnitsky** specifically assigned its employees to form an organization of the Agrarian Party of Ukraine (APU) in every village of the district.

Violations in this category mainly supported the bloc “For a United Ukraine” or the individual parties within it.

4. Coercion to join political parties

This category includes threats or implied threats to public employees if they do not join parties.

Examples:

- In the **Crimea**, in the first part of December, the chief staffers of the local health clinic asked their employees to fill out forms to become members of the Labor Ukraine Party. Those employees who refused were told to look for other employment. Labor Ukraine is a member of the “For a United Ukraine” bloc.
- In the **Volyn** region, employers from the “Volyn Forest” forestry enterprise pressured employees to join the Agrarian Party. Individuals and their families were formally entered as party members. The number of Agrarian Party members in the rayon where “Volyn Forest” is located grew by 1,000 persons as a result. The Agrarian Party is a member of the “For a United Ukraine” bloc.
- In Zaporizhzhya, workers from the “Zaporizhstal” factory were pushed to join the Women for the Future Party.

These violations occurred at about the same rate as in November, but different parties predominated. In November the Party of Regions, a member of “For a United Ukraine,” was the leader in this category. In December CVU observed more problems with the Agrarian Party.